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Letter dated 19 November 2012 from the Permanent Representatives of India and Portugal to the United Nations addressed to the Secretary-General

Under India's presidency of the Security Council during November 2012, an open debate on the working methods of the Council will be held on 26 November. The debate will build on the previous open debate held during the Portuguese presidency in November 2011.

The Indian and Portuguese delegations have jointly prepared a concept note that elaborates recent efforts aimed at further improving the Council's working methods and details various issues concerning those methods (see annex). It is our hope that the concept note will assist the participating delegations to make focused interventions.

It is requested that the present letter and its annex be issued as a document of the Security Council.

(*Signed*) H. S. **Puri**
Permanent Representative of India

(*Signed*) José Filipe **Moraes Cabral**
Permanent Representative of Portugal

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Annex to the letter dated 19 November 2012 from the Permanent Representatives of India and Portugal to the United Nations addressed to the Secretary-General

Concept note for the Security Council open debate on working methods

26 November 2012

1. The working methods of the Security Council cannot be regarded as being of interest only to Council members. They concern the States Members of the United Nations as a whole, as demonstrated by the increasing number of participants and the substantive inputs of Member States at open debates organized by the Council in recent years on this issue.

Background

Several positive developments on Council working methods can be identified as having taken place during the past few decades. In the light of the 2005 World Summit Outcome, in which it was recommended that the Security Council continue "to adapt its working methods so as to increase the involvement of States not members of the Council in its work",[1] the Security Council renewed its efforts to review its working methods. In order to achieve greater focus and continuity on this matter, the Council revitalized its Informal Working Group on Documentation and Other Procedural Questions.[2] The results of its work were compiled in the note by the President of the Security Council in 2010 (S/2010/507)[3] and in subsequent notes by the President.

The Working Group, currently under the chairmanship of Portugal, has continued to actively address these matters with a view to further enhancing transparency, inclusiveness and efficiency in the work of the Council as well as its interaction with the general membership. Open debates are now annually organized

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[1] General Assembly resolution 60/1, para. 154.

[2] See brief history in Security Council Report, Inc., "Security Council transparency, legitimacy and effectiveness: efforts to reform Council working methods 1993-2007", Special Research Report 2007, No. 3 (18 October 2007) (available from www.securitycouncilreport.org): "The process of reform of the working methods really began in 1993 ... Several initiatives were launched reflecting concern by some Council members about the need to make the body more transparent and accountable, as well as more efficient and capable of handling various crises at once." In 1994, the Security Council organized for the first time an open debate on its methods of work. See also, for the balance of the practice on Security Council methods of work, the concept paper prepared by Belgium for the 2008 open debate of the Security Council (S/2008/528, annex), the concept paper prepared by Japan for the open debate of 2010 (S/2010/165, annex) and the concept paper prepared by Portugal for the November 2011 open debate (S/2011/726, annex). See Security Council Report, Inc., Special Research Report 2010 (30 March 2010), for a thorough review of all the latest developments in the Security Council concerning its methods of work.

[3] The note, the annex to which contains 13 areas relating to Council practices, updated, further developed and expanded the previous note (S/2006/507). Among other things, it included a new section on Security Council missions. Some aspects of the list of items of which the Security Council is seized were clarified further, regular communication with the Peacebuilding Commission was underlined and guidelines to the annual report were included as well.

by the Council and have afforded the participation of the wider United Nations membership in the Council's deliberations about its working methods.

Outside the Security Council, the working methods continue to be discussed in the General Assembly, including in the framework of the intergovernmental negotiations on this matter. Several proposals have been put forward and debated in these settings, including by groups of States or regional organizations, many of them referred to in the set of proposals submitted by the so-called "small five group" (S5) (Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland).

2. The Security Council open debate that is scheduled to be held in November, under the presidency of India, will be the fifth on this issue.[4]

The open debate will be an opportunity for the Council, with the participation of interested delegations from the wider membership, to look at the implementation of the above-mentioned note (S/2010/507) and identify positive trends and successful practices to increase efficiency and transparency. It could also identify possible shortcomings and areas in need of further improvements.

The debate will build upon the previous open debate of November 2011, held during the Portuguese presidency. The November 2011 debate benefited from important contributions, both from Council members and members from outside the Council, advancing concrete proposals to improve several aspects of the Council's working methods and decision-making, including to enhance transparency, efficiency, interactivity within the Council and with the general membership and to improve the relationship between the Council and relevant United Nations organs and regional organizations.[5]

An overview of the different proposals put forward at the November 2011 debate was considered early in 2012 by the Working Group to help it to identify future action under its workplan. Some of those proposals have already been discussed in the Working Group. Some measures concerning conference resources and interactivity were eventually adopted as notes by the President. The note by the President dated 5 June 2012 (S/2012/402) indicates that the Council aims to better plan its work and conference resources so that more time may become available for the work of its subsidiary bodies. The note stresses the need for the Council to promote additional appropriate measures to increase interactivity and more efficient use of time at briefings during informal consultations and to resort more often to the use of video-teleconferencing to save costs, while enhancing information needs, including through the circulation, whenever possible in advance of the briefing texts, to allow for a more focused discussion during the time used for informal consultations.

Practical measures were also adopted to spread the Council workload more evenly throughout the year, by adjusting, where appropriate, mandate renewal

[4] The first open debate on working methods was held in 1994. Subsequent to the adoption of the note by the President (S/2006/507) and following the Arria-formula meeting in 2007 (Slovakia initiative), the Security Council organized an open debate in August 2008 (under the Belgian presidency) focused on the implementation of the 2006 note. In 2010, during its presidency of the Council, Japan organized the third open debate, on 22 April. The fourth open debate was held on 30 November 2011, under the Portuguese presidency.

[5] Security Council Report, Inc., "In hindsight: the working methods open debate", Monthly Forecast (January 2012). Available from www.securitycouncilreport.org.

periods and by aligning reporting requirements.[6] The Chair of the Working Group submitted his recommendations to the Council in respect of assisting Council members, when deciding upon mandate renewals and reporting deadlines, in better planning the future work of the Council.

To complement this overview on the measures adopted to improve the internal aspects of the Council's work, a considerable effort was made in 2012, through the Secretariat's diligence, to reorganize the Council's webpage and to enhance the information available, including on mandates and reporting cycles and on analytical and statistical overviews of the Council's activities over past years.

The Working Group is currently considering new measures to be adopted for a more transparent and inclusive and participatory process of appointment of the chairs of the subsidiary bodies and of the exercise and role of penholders. New measures are also being considered regarding ways to enhance transparency, efficiency and interaction in Security Council open debates, to improve several aspects of the annual reporting exercise to the General Assembly and to provide more substantive information on the work of the Council, both through more informative monthly assessments and monthly briefings by the presidencies on the work done.

3. As in the previous open debates, transparency, interaction with non-members and the Council's efficiency continue to be the principal themes suggested for discussion, with the aim of identifying ways of making improvements in all these aspects.

Interventions should aim at constructive debates over the recent practice of the Security Council, including on the extent to which the note (S/2012/507) has been implemented and how the Council is making progress in this area. It would be particularly helpful for suggestions to be made regarding practical measures aimed at further enhancing transparency, efficiency and the interaction of the Council with States Members of the United Nations which could make a difference in the day-to-day business of the Council.

The debate could be oriented around different questions concerning these three areas, including the following:

- Further strengthening the trend of meeting more often in public, including through holding public briefings and debates, without prejudice to the usefulness of consultations of the whole in discussing and preparing Council decisions.
- Promoting a transparent and inclusive process of negotiation within the Council, including on the appointment of the chairs of the subsidiary bodies.
- Strengthening the trend towards more flexible use of the meeting formats available, such as the Arria-formula meetings or informal interactive dialogues, as appropriate, as informal, practical and useful ways for the Council to interact with individuals and other relevant actors.

[6] Work in this area by the Informal Working Group was prompted initially by Council consultations of the whole on working methods, held in March 2012, during the presidency of the United Kingdom.

- Further enhancing the utility of open debates, while promoting the wider participation of non-Council members, for example, by foreseeing sufficient time for the preparation of useful inputs by Member States; devising practical ways of reducing meeting time and shortening interventions, while promoting wider participation in public meetings; enhancing interactivity, by inviting non-Council members to speak first or to alternate their statements with those of Council members; ensuring that the outcome documents of the open debates reflect relevant inputs from participants; and promoting more focused contributions through, for example, the use of concept papers and indicative questions or topics to be addressed.

- Enhancing the interaction and dialogue of the Security Council with regional and subregional organizations on issues of mutual interest and cooperation, without impacting on the Council's mandate under the Charter of the United Nations.

- Further enhancing the Council's interaction with troop- and police-contributing countries by ensuring a more substantive exchange of views, including through the use of concept notes or indicative questions to promote more fruitful and focused discussions at meetings of troop-contributing countries.

- Enhancing the role of the Military Staff Committee.

- Improving the Council's interaction with the chairs of the Peacebuilding Commission and its country-specific configurations, by ensuring their participation in Council meetings, including informal meetings, on relevant situations on the Council agenda.

- Ensuring more informative annual reporting of the Security Council to the General Assembly by encouraging interactive consultations with the wider membership before adoption and submission of the reports to the Assembly and by devising ways to ensure that more substantive and analytical information is provided on situations under the Council's consideration, on the work of its subsidiary bodies and on its working methods.

- Enhancing the role of the Presidents of the Council in promoting transparency by encouraging their interaction with the wider membership through monthly informal briefings, including at the end of each presidency on the Council's work, and by preparing more substantive and informative monthly assessments on the work of the Council.[7]

- Ensuring a regular interaction of the Presidents of the Council with the chairs of other relevant United Nations bodies on issues of mutual interest.

- Ways to further increase transparency, interaction and efficiency also in the work of subsidiary organs, in particular sanction committees, in furtherance of

[7] See S/2010/507, recent developments on the annual report to the General Assembly.

the recommendations of its former Informal Working Group on General Issues of Sanctions.[8]

- Enhanced participation of non-permanent members as penholders in the Council's work.

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[8] Established in 2000 (S/2000/319), initially chaired by Ambassador Anwarul Chowdhury of Bangladesh, the working group developed a thorough review of sanctions issues. At the end of 2006, the working group, chaired by Greece, submitted a comprehensive report (S/2006/997) on the subject, with a focus on the following aspects: sanctions design, implementation, evaluation and follow-up; monitoring and enforcement; committees working methods; methodological standards or reports of sanctions monitoring mechanisms and criteria and best practices for a standard format for reports of sanctions monitoring mechanisms. The Council, by its resolution 1732 (2006), took "note with interest of the best practices and methods contained in the working group's report" and requested its subsidiary bodies to "take note as well", having considered thus fulfilled the mandate of the working group.